



PTO/SB/64 (10-07)

Approved for use through 10/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: *Anthony Nugent*

Application No.: *09/1309,879*

Art Unit: *2855*

Filed: *May 11, 1999*

Examiner: *MAX Mroz*

Title: *A Sensing Device For A Safety Belt*

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- Small entity-fee \$ 770.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
 Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

- A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

- has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ 700.00  
 has been paid previously on 8-3-2007  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (10-07)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

*Anthony Nugent*

Signature

11-2-07

Date

Anthony Nugent

Typed or printed name

112 Crestpoint Court

Address

Registration Number, if applicable

919-465-1935

Telephone Number

CARY North Carolina 27513

Address

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: copy of check for \$700.00

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

11-2-2007

Date

*Anthony Nugent*

Signature

*Anthony Nugent*

Typed or printed name of person signing certificate

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re: Anthony Nugent

Serial No: 09/309,879

Group Art Unit: 2855

Filed: May 11, 1999

Examiner: Max Noori

Title: "A Sensing Devise For A Safety Belt"

**CERTIFICATE OF MAILING**

I hereby certify this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date indicated below with the United States Postal Service in an envelope addressed to the Commissioner of Patents, Mail Stop Petitions , PO Box 1450, Alexandria, VA 22313-1450, with sufficient postage as first class mail(37 CFR 1.8(a)).

Anthony Nugent  
Anthony Nugent

11 - 2 - 2007

Date

**TRANSMITTAL LETTER**

Sir,

Applicants are submitting the following:

1. Petition to revive unintentional abandonment, and payment fee of \$770.00.
2. Copy of Check for 'issue fee' \$700.00.
3. Drawing FIG(s) 1 and 4
4. Statement that the entire delay was unintentional.
5. Return receipt post card.

Respectfully submitted,

Anthony Nugent  
Anthony Nugent



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Anthony Nugent

Serial No: 09/309,879

Group Art Unit: 2855

Filed: May 11, 1999

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Anthony Nugent  
Anthony Nugent

11-2-2007  
Date

Attention: office of Petitions  
Mail Stop petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 2, 2007

Sir:

In response to the office action dated 7-18-07 applicants were unable to comply due to incorrect address information (see copy of letter). Applicants have petitioned for Revival of their application, having unintentionally abandoned the prior application, as noted in the attached petition. Applicants are requesting continued examination by the accompanying request and fee payment. Applicants continue to qualify as a small entity.

A correct filing receipt is respectfully requested. Kindly amend the subject application in the sections that follow. Amendments to the specification follow in the next section and refer to the **IDENTIFICATION OF DRAWING DEFICIENCIES** *Numbers, letters, or references characters in the drawing have been crossed out by hand and/or illegibly handwritten. FIG(s) 1 and 4.*

FIG.1 is a schematic view of a conventional safety belt fastener.

FIG. 4 is a perspective exploded view of the sensing device in accordance with the Present invention.

Applicants certify that no new matter is added. Applicants pray for the grant of the petition to revive this application.

Respectfully submitted,

Anthony Nugent  
Anthony Nugent



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Serial No. 09/309,879  
Applicant : Nugent, et al  
Filing Date 05/11/1999  
Date Mailed : 07/18/2007

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice MUST be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

*Nadine Clark*

Office of Patent Publication  
Phone: 703-308-9250, ext. 144

Application No. 09/309,879 Drawings filed 12/5/2000

### IDENTIFICATION OF DRAWING DEFICIENCIES

- There are holes punched in the illustration. FIG(s) \_\_\_\_\_
- The character of the lines, numbers and letters are poor/ faded. FIG(s) \_\_\_\_\_
- The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) \_\_\_\_\_
- A date stamp obscures part of the illustration. FIG(s) \_\_\_\_\_
- The drawing is solid black box or marred by black smudges, obliterations, or fax/copier marks. FIG(s) \_\_\_\_\_
- Figure number is duplicated/missing. Drawing sheet is missing. FIG(s). \_\_\_\_\_
- Numbers, letters, or reference characters in the drawing have been crossed out by hand and are illegibly handwritten. FIG(s) 1 and 4
- The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) \_\_\_\_\_
- The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) \_\_\_\_\_
- Missing data, part of the drawing is cut off, lead line no reference number FIG(s) \_\_\_\_\_
- The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.81(u)(1). FIG(s) \_\_\_\_\_
- The drawing and/or the FIG. label contain(s) foreign language. FIG(s) \_\_\_\_\_
- Color drawings are present in this application but the following CFR 1.84 (a) requirements have not been met\*:
  - Petition filed
  - Petition fee
  - 3 sets of color drawings
  - Color drawing paragraph

\*If color drawings are not elected, then applicant must respond so stating. Also, references to color drawings in the specification, if any, must be amended.

COMMENTS:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,879	05/11/1999	ANTHONY DEAN NUGENT		8078
<b>DANIEL ROBINSON</b> <b>1867 YGNACIO VALLEY ROAD 1008</b> <b>WALNUT CREEK, CA 94598</b>			EXAMINER	
			NOORI, MAX H	
ART UNIT		PAPER NUMBER		
2835				
MAIL DATE	DELIVERY MODE			
07/18/2007	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

"  
 Anthony Nugent  
 112 Crestpoint Court  
 Cary NC 27513  
 919-465-1935/Home  
 919-524-6685/Cell

CORRECT address



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<b>CRESCE</b> <b>NT STATE BANK</b> Cary, NC		<i>Anthony D. Nugent</i>	
MEMO: <i>positive test</i>			